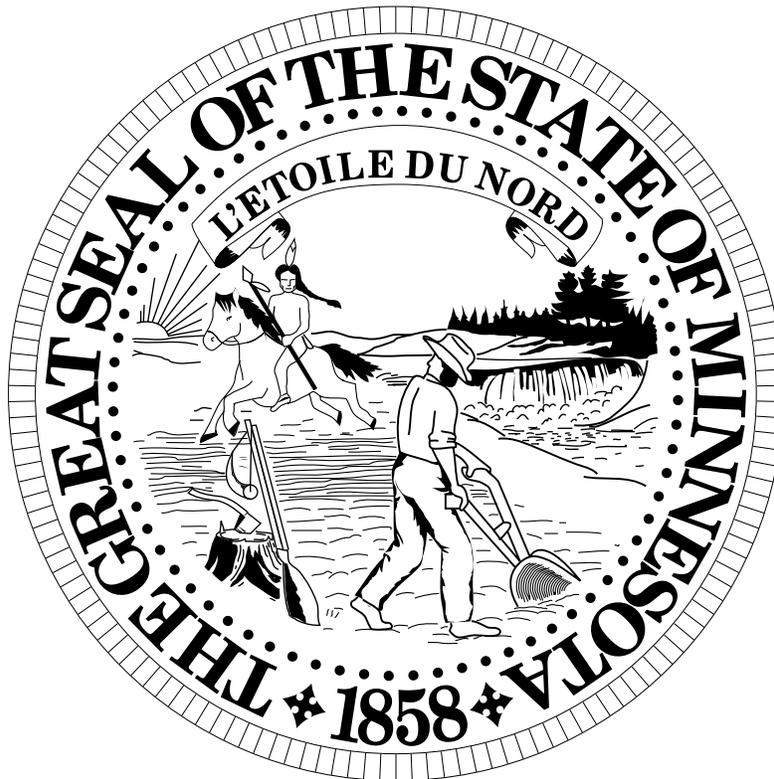


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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Vol. 26 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#3	Monday 16 July	Noon TUESDAY 3 JULY (FY02)	Noon Tuesday 10 July
#4	Monday 23 July	Noon Wednesday 11 July	Noon Tuesday 17 July
#5	Monday 30 July	Noon Wednesday 18 July	Noon Tuesday 24 July
#6	Monday 6 August	Noon Wednesday 25 July	Noon Tuesday 31 July

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Minnesota State Court System

Court Information Office (651) 296-6043 Website: www.courts.state.mn.us
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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules; 2001 Moose Season Quotas and Moose Zone Changes

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the content of these rules is *Minnesota Statutes*, sections 97A.431 and 97B.505.

Dated: July 9, 2001

Allen Garber
Commissioner of Natural Resources

6232.3800 APPLICATION PROCEDURES FOR A MOOSE LICENSE.

Subpart 1. General procedures. The provisions in this part apply to applications for moose licenses.

- A. A person may apply for only one of the open zones.
- B. A person may apply only once and must apply in a party of two, three, or four. All party members must apply for the same zone ~~and personally sign the application.~~
- C. Up to 20 percent of the licenses in each zone of the Northwest Area may be issued in a separate landowner and tenant drawing. The following persons are eligible for this separate drawing:
 - (1) owners of at least 160 acres of agricultural or grazing land, within the zone applied for;
 - (2) tenants living on at least 160 acres of agricultural or grazing land, within the zone applied for; or
 - (3) family members of qualifying landowners and tenants, if they live on the qualifying property and are part of the farming operation. Family members include those related by blood, marriage, or adoption.

Applicants unsuccessful in the landowner and tenant drawing will be included in the selection process for the remaining licenses in the same zone. Landowner and tenant party applications that include individuals who do not meet the requirements for this license will be removed from the landowner and tenant drawing and will not be entered into the general drawing.

- D. Applications for the general and landowner and tenant drawing must be made ~~on the appropriate forms~~ and in accordance with instructions.
- E. The application deadline is the Friday nearest June 15.
- F. An application fee, as prescribed in *Minnesota Statutes*, section 97A.431, subdivision 3, ~~in the form of a cashier's check, money order, or personal check~~ must accompany each party's application. Any check returned to the department for non-payment invalidates the application and will be destroyed. Refunds of application fees may not be made for any reason.
- G. Successful applicants will receive instructions for obtaining their licenses.

[For text of subp 2, see M.R.]

6232.3855 2001 QUOTAS FOR TAKING MOOSE.

The number of available licenses for the 2001 moose hunting season is 182. Licenses are distributed by zone as follows:

- A. Moose Zone 20, 23;
- B. Moose Zone 21, six;
- C. Moose Zone 22, three;
- D. Moose Zone 23, four;
- E. Moose Zone 24, ten;
- F. Moose Zone 25, six;

Expedited Emergency Rules

G. Moose Zone 26, six;
H. Moose Zone 27, zero;
I Moose Zone 28, two;
J. Moose Zone 29, six;
K. Moose Zone 30, five;
L. Moose Zone 31, eight;
M. Moose Zone 32, five;
N. Moose Zone 33, four;
O Moose Zone 34, four;
P Moose Zone 35, three;
Q. Moose Zone 36, ten;
R Moose Zone 60, three;
S. Moose Zone 61, nine;
T. Moose Zone 62, 14;
U. Moose Zone 63, six;
V. Moose Zone 64, eight;
W Moose Zone 70, five;
X Moose Zone 72, five;
Y. Moose Zone 73, three;
Z Moose Zone 74, six;
AA. Moose Zone 76, seven;
BB. Moose Zone 77, five;
CC. Moose Zone 79, four; and
DD. Moose Zone 80, two.

6232.4100 MOOSE ZONES.

[For text of subps 1 to 18, see M.R.]

Subp. 19. **Moose Zone 20.** Moose Zone 20 consists of that portion of the state lying within the following described boundary:

Beginning at the campground on Kawishiwi Lake; thence in a southerly direction along Forest Road 354 to Hog Creek; thence downstream in a southwesterly direction along Hog Creek to Perent Lake; thence in a westerly direction through the center of Perent Lake to the outlet of the Perent River; thence in a westerly direction along the Perent River to Isabella Lake; thence in a westerly direction along the south shore of Isabella Lake to the Isabella River; thence in a westerly direction along the Isabella River to Bald Eagle Lake; thence in a northwesterly direction through the center of Bald Eagle, Gabbro and Little Gabbro Lakes to the westernmost outlet of Little Gabbro Lake; thence downstream in a northerly direction to the South Kawishiwi River; thence in a northeasterly direction along the South Kawishiwi River to the Kawishiwi River; thence in an easterly direction along the Kawishiwi River to County State Aid Highway (CSAH) 18 (Fernberg Road), Lake County; thence in a northerly direction along CSAH 18 to Forest Trail 147 (Kekekabic Trail); thence in a northeasterly direction along Forest Trail 147 to ~~Strup Lake; thence in a southerly direction across all portages and along all streams through Strup, Wisini, Ahmakose, and Gerund Lakes to Fraser Lake; thence in an easterly direction along the north shore of Fraser Lake to the easternmost part of Fraser Lake; thence in an easterly direction across all portages and along all streams through the north end of Sagus Lake, Roe and Cap Lakes to Boulder Lake; thence in a southerly direction through the center of Boulder Lake, across the portage connecting Boulder and Adams Lake to Adams Lake; thence in a southerly direction to the south shore of Adams Lake; thence along the south shore of Adams Lake to the portage connecting Adams Lake and Beaver Lake; thence in a southwesterly direction across said portage to Beaver Lake; thence in a southwesterly and southerly direction through Beaver Lake~~

to the southeast end of Beaver Lake; thence in a southwesterly direction along Unnamed streams, through Whiz and Bow Lakes, to Amber Lake; thence in a southeasterly direction through Amber Lake to the Kawishiwi River; thence in a northeasterly direction along the Kawishiwi River to Record Creek; thence in a southerly direction along Record Creek to the portage connecting Record Creek and Malberg Lake; thence in an easterly direction across said portage to Malberg Lake; thence in a southeasterly direction through Malberg Lake, intersection of Trail and portage to an unnamed lake in Section 29 of Township 64 North, Range 7 West; thence southeast along said portage to an unnamed lake; thence across middle of unnamed lake to portage to Thomas Lake; thence southeast across said portage to Thomas Lake; thence south along the west shore of Thomas Lake to portage to Kiana Lake; thence south across said portage to Kiana Lake; thence south along east shore of Kiana Lake to portage to Insula Lake; thence south on portage to Insula Lake; thence south on Insula Lake (east shore) then east (north shore) to the Kawishiwi River portage; thence southeast on said portage to Kawishiwi River; thence southeast (west shore) and then northeast (south shore) including a small segment of the south shore of Alice Lake and two (2) portages back to the Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence northeast on Kawishiwi River along west shore to portage to River Lake; thence northeast across said portage to River Lake; thence northeast on River Lake (west shore) to drainage in Southeast Quarter of Section 14 of Township 63 North, Range 7 West; thence easterly along south shore of said drainage to Record Lake; thence northeast on west shore of Record Lake to northeast corner of lake; thence overland approximately 1300 feet at a northeast bearing to south shore of Malberg Lake; thence northeast then south along south shore of Malberg Lake; thence through Koma Lake, and along the Kawishiwi River to Lake Polly; thence in a southwesterly direction through the center of Lake Polly to the Kawishiwi River; thence upstream in a southerly direction along the Kawishiwi River, through Kawasachong and Square Lakes to Kawishiwi Lake; thence in a southeasterly direction through the center of Kawishiwi Lake to the point of beginning.

[For text of subps 20 to 24, see M.R.]

Subp. 24a. **Moose Zone 26.** Moose Zone 26 consists of that portion of the state lying within the following described boundary:

Beginning where the Horse River meets the Canadian border near the southeastern tip of Crooked Lake; thence southwesterly along the Horse River to Horse Lake; thence along the east shore of Horse Lake to the portage to Tin Can Mike Lake; thence along the portage and streams connecting Tin Can Mike, Sandpit, and Range Lakes to the access trail on the south shore of Range Lake; thence southerly along the access trail to the Range Lake access road; thence along the Range Lake access road to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to County State Aid Highway (CSAH) 116 (Echo Trail), St. Louis county; thence along CSAH 116 to CSAH 88, St. Louis county; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to CSAH 58, St. Louis county; thence along CSAH 58 to CSAH 16, Lake county (Section Thirty Road); thence along CSAH 16 to the public access on Farm Lake; thence along the east shore of Farm Lake to the North Kawishiwi River; thence easterly along the North Kawishiwi River to the public access on Lake One and the junction with CSAH 18, Lake county (Fernberg Road); thence along CSAH 18 to the former access point for Forest Trail (FT) 147 (Kekekabic Trail); thence northeasterly along FT 147 to the portage between Strup and Kekekabic lakes; thence to Kekekabic lake and along the south shore of said lake and a swampy flowage to Grubstake lake; thence through Grubstake lake and north to Skoota lake; thence overland in a northerly direction to Knife lake and the Canadian border; the Kekekabic Trail to the Snowbank Trail junction; thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on portage to Snowbank Lake; thence northerly along shoreline of Snowbank Lake to Boot Lake portage; thence easterly on Boot Lake portage to Boot Lake; thence following the west shore of Boot Lake to Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along south shore of Ensign Lake to Splash Lake portage; thence west on Splash Lake portage to Splash Lake; thence along south shore of Splash Lake to Newfound Lake portage; thence along portage to Newfound Lake; thence follow the north shore of bay (Newfound L.) into Sucker Lake; thence follow southeast shoreline and north shoreline of Sucker Lake to the Canada-United States international boundary; thence follow said border westerly to Prairie Portage; thence along portage (U.S. side of falls) to Basswood Lake; thence westerly along the Canadian border United States-Canada international boundary to the point of beginning origin.

[For text of subps 24b to 29c, see M.R.]

Expedited Emergency Rules

Subp. 30. **Moose Zone 60.** Moose Zone 60 consists of that portion of the state lying within the following described boundary:

Beginning at McFarland Lake north of Hovland; thence in a westerly direction to Pine Lake; thence in a westerly direction through Pine Lake to the range line between Range 2 East and Range 3 East; thence in a southerly direction along said range line across land and the waters of Long Lake and Stump Lake to Fault Lake; thence in a westerly direction through all streams and swamps connecting Fault, Bronco, Shelf, Kiowa, Crocodile, and East Bearskin Lakes; thence northeasterly across East Bearskin Lake to the portage trail to Flour Lake; thence in a northerly direction across said portage trail to Flour Lake; thence along the eastern shore of Flour Lake to the stream to Moon Lake; thence along said stream to Moon Lake; thence along the western shore of Moon Lake to the northwest corner of Moon Lake; thence overland in a northwesterly direction approximately 1,000 feet to Deer Lake; thence in a northerly direction across Deer Lake to the portage trail to Caribou Lake; thence in a northerly direction along said portage trail to Caribou Lake; thence along the western shore of Caribou Lake to the portage trail to Clearwater Lake; thence in a westerly direction across the portage trail to Clearwater Lake; thence in a westerly direction through Clearwater Lake to the western end of the lake; thence overland in a westerly direction approximately 100 yards (crossing CSAH 66, Cook County) to an unnumbered road bed leading to Daniels Lake; thence in a westerly direction along said road bed to Daniels Lake; thence in a ~~northeasterly~~ westerly direction ~~through along the south shore of Daniels Lake to its outlet stream; thence in a northeasterly direction along said stream~~ the portage trail to West Bearskin Lake; thence in a southerly direction across said portage trail to West Bearskin Lake; thence in a westerly direction along the north shore of West Bearskin Lake to the portage trail to Duncan Lake; thence in a northwesterly direction across said portage trail to Duncan Lake; thence in a westerly direction along the south shore of Duncan Lake to a stream connecting to East Otter Lake; thence along said stream in a westerly direction to East Otter Lake; thence in a westerly direction through East Otter Lake and a stream to Hoat Lake; thence in a northwesterly direction through Hoat Lake to the stream to Mucker Lake; thence northeasterly through said stream to Mucker Lake; thence in a northerly direction across Mucker Lake to the outlet stream which drains into South Lake; thence in a southerly direction through said stream to South Lake; thence in a northerly direction to the United States-Canada international boundary; thence in an easterly direction along said boundary through South, Rat, Rose, Rove, Watap, Mountain, Fan, Lily, Moose, and North Fowl Lakes to Royal River; thence in a westerly direction along Royal River to John Lake; thence in a westerly direction along the south shore of John Lake to the outlet of Little John Lake; thence in a southerly direction through Little John Lake to McFarland Lake, the point of beginning.

[For text of subps 31 and 32, see M.R.]

Subp. 33. **Moose Zone 63.** Moose Zone 63 consists of that portion of the state lying within the following described boundary:

Beginning at the point where the Cook and Lake County boundaries meet the United States-Canada international boundary; thence in a southwesterly direction along the U.S.-Canada international boundary through Swamp, ~~and part of Cypress, and Knife Lakes to the section line between Sections 28 and 29 of Township 65 North, Range 7 West (T. 65N, R. 7W) in Knife Lake; thence in a southerly direction along said section line to the shore of Knife lake; thence overland for approximately 0.6 miles in a southerly direction to Skoota Lake; thence in a southerly direction to the south shore of Skoota Lake; thence overland for approximately 0.1 miles in a southerly direction through Grubstake Lake; thence in an easterly direction through Grubstake Lake to its easternmost tip; thence in an easterly direction along a swampy flowage to Kekekabic Lake; thence in an easterly direction along the south shore of Kekekabic Lake to the stream to Strup Lake; thence in a southerly direction along said stream through Strup and Wisini Lakes to the southernmost tip of Wisini Lake; thence in a southerly direction across the portage trail to Ahmakose Lake; thence in a southwesterly direction through Ahmakose Lake and its outlet stream to Gerund Lake; thence in a southeasterly direction through Gerund Lake and its outlet stream to Fraser Lake; thence in an easterly direction through Fraser Lake to the portage trail to Sagus Lake; thence along said portage trail and along all streams through Sagus, Roe, and Cap Lakes to the eastern end of Cap Lake; thence overland for approximately 0.4 miles in a south southeasterly direction to Boulder Lake; thence in a southwesterly direction through Boulder Lake and along its outlet stream to Adams Lake; thence in a southerly direction to the southwest tip of Adams Lake; thence overland for approximately 0.25 miles in a southwesterly direction to Beaver Lake; thence in southwesterly and southeasterly directions through Beaver Lake to the stream entering Beaver Lake from the east near the southern tip of Beaver Lake; thence in an easterly direction along said stream to the unnamed lake approximately 0.1 miles to the east; thence in a southerly direction through said unnamed lake and the stream connecting it to Kawishiwi River; thence in a~~

southerly direction along Kawishiwi River, through River Lake, to the unnamed flowage to the east in the Southeast Quarter of Section 14 of T. 63N, R. 7W; thence in an easterly direction along said unnamed flowage across Sections 14 and 13 of T. 63N, R. 7W, and part of Section 18 of T. 63N, R. 6W, to Record Lake; thence in a northeasterly direction through Record Lake to the Northeast corner of Record Lake; thence overland for approximately 1200 feet in a northeasterly direction to Malberg Lake; thence in a northwesterly direction through Malberg Lake to the portage trail in the northwest corner of Malberg Lake leading to Kawishiwi River; thence in a northwesterly direction along said portage to Kawishiwi River; thence in a northeasterly direction along Kawishiwi River through Kivaniva, Kivandeba, and John Ek Lakes to the south end of John Ek Lake; thence overland for approximately 100 feet in an easterly direction to an unnamed flowage; thence in an easterly direction along said unnamed flowage across the South Half of the South Half of Section 31 of T. 64N, R. 5W, to an unnamed lake in the Northeast Quarter of the Northeast Quarter of said Section 31 of T. 64N, R. 5W; thence overland for approximately 600 feet in a southeasterly direction to an unnamed pond in the Southwest Quarter of the Northwest Quarter of Section 32 of T. 64N, R. 5W; thence overland for approximately 0.3 miles in an easterly direction to an unnamed flowage leading to Teat Lake; thence in an easterly direction along said unnamed flowage through Teat and Lawless Lakes to the eastern end of Lawless Lake; thence overland and all waters for approximately 0.8 miles in a southeasterly direction to Mesaba Lake; thence in a northeasterly direction through Mesaba Lake to an unnamed stream to Hub Lake; thence in a northerly direction along said unnamed stream to Hub Lake; thence along the east and south shores of Hub Lake to the stream leading to Chuck Lake; thence in an easterly direction along said stream, through Chuck and Florence Lakes to the northeast tip of Florence Lake; thence overland for approximately 100 feet in a northeasterly direction to Caper Lake; thence in a northerly direction through Caper Lake and along the unnamed flowage to the north to Frost River; thence in a northwesterly direction along Frost River, and all streams, through Afton, Fente, Whipped, and Time Lakes to the Gijikiki Lake portage in Section 32 of Township 66 North, Range 6 West; proceed south along said portage to Gijikiki Lake; thence south along west shore of said lake to portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on Rivalry Lake to portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to Lunar Lake portage; thence follow the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along shore of Cherry Lake to Hanson Lake portage; thence south along west shoreline of Hanson Lake to portage to South Arm of Knife Lake; thence south on portage to South Arm of Knife Lake; thence follow the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; take said portage south to Eddy Lake; thence follow north shore of lake southeasterly to Jenny Lake portage; thence take said portage south to Jenny Lake; thence follow the west and south shorelines of Jenny Lake to Annie Lake portage; thence take said portage south to Annie Lake; thence follow north shore of Annie Lake to Ogishkemuncie portage; thence follow south shoreline of Ogishkemuncie Lake; thence follow south shoreline of Ogishkemuncie Lake to Mueller Lake portage; thence follow portage southeast to Mueller Lake; thence follow north shore of Mueller Lake to the east end of lake then proceed west along the south shore a very short distance to the Agamok portage; thence follow said portage south to Agamok Lake; thence follow the north and east shorelines of said lake to portage to Gabimichigami Lake; thence follow said portage south to Gabimichigami Lake; thence follow west and south shorelines of said lake to Rattle Lake portage; thence follow said portage south to Rattle Lake; thence follow said portage south to Little Saganaga Lake; thence follow west and south shoreline of Little Saganaga Lake to portage to Mora Lake; thence along the southern and eastern shores of Mora Lake to the stream to Tarry Lake; thence in a northerly direction along said stream to Tarry Lake; thence along the eastern shore of Tarry Lake to the stream to Crooked Lake; thence in a northerly direction along said stream to Crooked Lake; thence along the eastern shore of Crooked Lake to the stream to Gillis Lake; thence in a northwesterly direction along said stream to Gillis Lake; thence along the southern and eastern shores of Gillis Lake to the portage trail to Bat Lake; thence in a northerly direction along said portage trail to Bat Lake; thence in a northeasterly direction, and along all portage trails, through Bat and Green Lakes to Flying Lake; thence in a northerly direction, and along all streams, through Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West; thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said unnamed lake and along all streams and ponds to the north shore of an unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18 of Township 65 North, Range 4 West; thence overland for

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approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the southeastern shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along the Sea Gull River to Saganaga Lake; thence along the east shore of Saganaga Lake to Saganaga Falls in Section 4 of Township 66 North, Range 4 West; thence easterly to the United States-Canada international boundary; thence in a southwesterly direction along the international boundary through Saganaga and Swamp Lakes to the point of beginning.

Subp. 33a. **Moose Zone 64.** Moose Zone 64 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of the Forest Trail (FT) 147 (Kekekabic Trail) and the Snowbank Trail (just south of Parent Lake); thence northerly on the Snowbank Trail (paralleling the east shore of Parent Lake) to the Parent Lake-Disappointment Lake portage; thence easterly on said portage to Disappointment Lake; thence northwesterly on portage to Snowbank Lake; thence northerly along shoreline of Snowbank Lake to Boot Lake portage; thence easterly on Boot Lake portage to Boot Lake; thence following the west shore of Boot Lake to Ensign Lake portage; thence northerly on said portage to Ensign Lake; thence westerly along south shore of Ensign Lake to Splash Lake portage; thence west on Splash Lake portage to Splash Lake; thence along south shore of Splash Lake to Newfound Lake portage; thence along portage to Newfound Lake; thence follow the north shore of bay (Newfound L.) into Sucker Lake; thence follow southeast shoreline and north shoreline of Sucker Lake to the United States-Canada international boundary; thence follow said border westerly to Prairie portage; thence along the United States-Canada international boundary in a northeasterly direction to the Gijikiki Lake portage on Cypress Lake; thence south along portage to Gijikiki Lake; thence south along west shore of said lake to portage to Rivalry Lake; thence south along said portage to Rivalry Lake; thence south on south shore of Rivalry Lake to portage to Lake of the Clouds; thence east on said portage to Lake of the Clouds; thence south along the east shoreline of Lake of the Clouds to Lunar Lake portage; thence follow the west and south shorelines of Lunar Lake to the Cherry Lake portage; thence south on said portage to Cherry Lake; thence northeast along shore of Cherry Lake to Hanson Lake portage; thence east across said portage to Hanson Lake; thence south along west shoreline of Hanson Lake to portage to South Arm of Knife Lake; thence south on portage to South Arm of Knife Lake; thence follow the east and south shores of the South Arm of Knife Lake to the Eddy Lake portage; take said portage south to Eddy Lake; thence follow north shore of Eddy Lake southeasterly to Jenny Lake portage; thence take said portage south to Jenny Lake; thence follow the west and south shorelines of Jenny Lake to Annie Lake portage; thence take said portage south to Annie Lake; thence follow north shore of Annie Lake to Ogishkemuncie portage; thence follow south shoreline of Ogishkemuncie Lake to Mueller Lake portage; thence follow portage southeast to Mueller Lake; thence follow north shore of Mueller Lake to the east end of lake then proceed west along the south shore a very short distance to the Agamok portage; thence follow said portage south to Agamok Lake; thence follow the north and east shorelines of said lake to portage to Gabimichigami Lake; thence follow said portage south to Gabimichigami Lake; thence follow west and south shorelines of said lake to Rattle Lake portage; thence follow said portage south to Rattle Lake; thence follow northwest and south shoreline of Rattle Lake to portage to Little Saganaga Lake; thence follow said portage south to Little Saganaga Lake; thence follow west and south shoreline of Little Saganaga Lake to portage to Mora Lake; thence follow said portage to Mora Lake; thence southeasterly along the west shore of Mora Lake to drainage to Time Lake; thence in a southeasterly direction follow along all streams and portages through Time, Whipped, Fente, and Afton Lakes to Frost River; thence southeast on Frost River approximately 1/4 mile; thence overland approximately 1/8 mile to a chain of small lakes; follow these small lakes south to Caper Lake; thence overland in a southwesterly direction to Florence Lake; thence south on west shoreline of Florence Lake to the drainage into Chuck Lake; thence follow the south shoreline of Chuck Lake; thence follow south shore of all drainages in a northwesterly direction to Hub Lake; thence follow south shoreline of Hub Lake to Mesaba Lake portage; thence follow said portage south to Mesaba Lake; thence follow west and north shoreline of Mesaba Lake to Chaser Lake portage; thence northwest overland and all waters for approximately 0.8 of a mile to eastern side of Lawless Lake; then northwesterly and westerly along the north shore of said lake to Teat Lake; thence westerly along the north shore of Teat Lake to an unnamed flowage; thence westerly on said flowage for approximately 0.3 miles; thence northwesterly overland approximately 1/4 mile to an unnamed pond in the Northwest Quarter of Section 32 of Township 64 North, Range 5 West; thence northwesterly approximately 700 feet overland to an unnamed lake in the

Northeast Quarter of Section 31 of Township 64 North, Range 5 West; thence westerly following an unnamed drainage to another unnamed drainage; thence southerly along said drainage to where drainage turns sharply to west; thence westerly along said drainage across the southern one-half of the north one-half of Section 31 of Township 64 North, Range 5 West; continuing westerly to source of drainage (small pond) in Section 36 of Township 64 North, Range 6 West; thence westerly overland approximately 100 feet to south end of John Ek Lake; thence through John Ek Lake in a north and westerly bearing along west and south shorelines to drainage to Kivandeba Lake; thence west on said drainage to Kivandeba Lake; then southwest through Kivandeba Lake along southeast shore to drainage to Kivaniva Lake; thence south and west on said drainage to Kivaniva Lake; thence south a short distance on east shore of said lake to Kawishiwi River portage; thence south on said portage to Kawishiwi River; thence southwesterly along the south shore of the Kawishiwi River to portage to Kawishiwi River in the Southeast Quarter of the Southeast Quarter of Section 6 of Township 63 North, Range 6 West; thence south on said portage; thence southwesterly along the south shore of the Kawishiwi River; thence south into the bay in the Northwest Quarter of Section 7 of Township 63 North, Range 6 West; thence south along drainage to Record Lake; thence southwest on west shore of Record Lake to the unnamed drainage in the middle of Section 18 of Township 63 North, Range 6 West; thence west on said drainage following the south shore of all unnamed lakes, drainages, and lowlands through part of Section 18 of Township 63 North, Range 6 West; all of Section 13 of Township 63 North, Range 7 West; and part of Section 14 of Township 63 North, Range 7 West into River Lake; thence southwest on River Lake (west shore) to portage in southwest corner of lake; thence southwest along said portage to Kawishiwi River; thence southwesterly along the northwest shore to portage to Kawishiwi River in Section 22 of Township 63 North, Range 7 West; thence southwest along said portage to Kawishiwi River; thence west and northwest along south shore of Kawishiwi River including two (2) short portages and a small segment of the south shore of Alice Lake to Insula Lake; thence along the north shore of Insula Lake in a westerly then northerly direction (east shore) to the portage to Kiana Lake; thence north on said portage to Kiana Lake; thence north along east shore of Kiana Lake to portage to Thomas Lake; thence north on said portage to Thomas Lake; thence north along the west shore of Thomas Lake to portage to unnamed lake in Section 29 of Township 64 North, Range 7 West; thence northwest on said portage to unnamed lake; thence northwest across middle of unnamed lake to portage to Hatchet Lake drainage; thence across said portage to intersection of portage and the Kekekabic Trail (Forest Trail 147); thence southwesterly along said trail to point of origin.

[For text of subs 34 to 37, see M.R.]

Subp. 38. **Moose Zone 74.** Moose Zone 74 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 12, Cook County, and Forest Road 146; thence in a northerly direction along CSAH 12 to the stream connecting Road Lake to Poplar Lake; thence in a westerly direction along said stream to Poplar Lake; thence in a westerly direction along the southern and western shores of Poplar Lake to the stream to Skipper Lake; thence in a westerly direction along said stream and other streams or swamps through Skipper, Little Rush, Rush, Banadad, Sebeka, Ross, Seal, George, Lower George, Rib, Cross Bay, and Snipe Lakes to the northwest corner of Snipe Lake; thence overland approximately 0.4 miles in a northwesterly direction to the northeast corner of Missing Link Lake; thence in a westerly direction along the northern shore of Missing Link Lake to the portage to Round Lake; thence in a northeasterly direction along said portage to Round Lake; thence in a northwesterly direction along the southwest shore of Round Lake to the flowage to West Round Lake; thence in a westerly direction across said flowage, along all streams, and through West Round, Edith, Brant, then in a northerly direction through Gotter, Flying, Bingshack, and Honker Lakes to the center of the north shore of Honker Lake; thence overland for approximately 0.3 miles in a northerly direction to a swamp flowing northerly to Squat Lake; thence in a northerly direction through said swamp to Squat Lake; thence in a northeasterly direction through Squat Lake to the outlet to the unnamed lake in the Northeast Quarter of Section 19 of Township 65 North, Range 4 West (T. 65N, R. 4W); thence in a northerly direction along said outlet to said unnamed lake; thence in a northerly direction through said unnamed lake and along all streams and ponds to the north shore of the unnamed pond in the Northwest Quarter of the Southwest Quarter of Section 18, T. 65N, R. 4W; thence overland for approximately 200 feet in a northerly direction to Arc Lake; thence in a northeasterly direction to the northern end of Arc Lake; thence overland for approximately 0.3 miles in a northerly direction to an unnamed stream to Sea Gull Lake; thence in a northerly direction along said stream to the south shore of Sea Gull Lake; thence along the southeastern, eastern, and northeastern shores of Sea Gull Lake to Gull Lake; thence in a northerly direction through Gull Lake and along Sea Gull River to Saganaga Lake; thence along the east

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shore of Saganaga Lake to Saganaga Falls in section 4 of Township 66 North, Range 4 West; thence in an easterly direction to the United States-Canada international boundary; thence in easterly and southerly directions along the international boundary through Saganaga, Maraboeuf, Gneiss, Granite, Clove, Magnetic, Gunflint, Little Gunflint, North, ~~South, Rat, and Rose Lakes to the east end of Rose and South Lakes to the point in South Lake north of the stream connecting to Mucker Lake~~; thence south to said stream; thence in a southerly direction through said stream to Mucker Lake; thence in a southerly direction across Mucker Lake to the stream connecting to Hoat Lake; thence in a southerly direction through said stream to Hoat Lake; thence southeasterly across Hoat Lake to a swamp and stream connecting to East Otter Lake; thence in an easterly direction through said swamp and stream to East Otter Lake; thence in an easterly direction across East Otter Lake to a stream connecting to Duncan Lake; thence in an easterly direction through said stream to Duncan Lake; thence in an easterly direction along the south shore of Duncan Lake to the portage to West Bearskin Lake; thence in a southeasterly direction ~~along the stream leading~~ across said portage to West Bearskin Lake; thence in an easterly direction along the north shore of West Bearskin Lake to the portage to Daniels Lake; thence in a ~~southwesterly~~ northerly direction across said portage to Daniels Lake; thence in an easterly direction ~~through~~ along the south shore of Daniels Lake to an unnumbered road bed in the Northwest Quarter of the Northwest Quarter of Section 35, T. 65N, R. 1W; thence in an easterly direction along said unnumbered road bed to CSAH 66, Cook County; thence overland in an easterly direction across CSAH 66, Cook County, for approximately 100 yards to Clearwater Lake; thence in an easterly direction through Clearwater Lake to the portage to Caribou Lake; thence along the southwest shore of Caribou Lake to the portage to Deer Lake; thence in a southerly direction along said portage to Deer Lake; thence in a southwesterly direction to the south shore of Deer Lake; thence in a southeasterly direction overland approximately 1,000 feet to Moon Lake; thence along the western shore of Moon Lake to the stream to Flour Lake; thence in a westerly direction along said stream to Flour Lake; thence along the eastern shore of Flour Lake to the portage trail to East Bearskin Lake; thence in a southerly direction along said portage to East Bearskin Lake; thence in a westerly direction through East Bearskin Lake to the public access and Forest Road 146; thence along Forest Road 146 to the point of beginning.

[For text of subps 39 to 44, see M.R.]

EFFECTIVE PERIOD. The expedited emergency amendments to *Minnesota Rules*, parts 6232.3800 and 6232.4100, expire 18 months after adoption. *Minnesota Rules*, part 6232.3855, expires December 31, 2001.

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture Rural Finance Authority

Notice of Change in Meeting Place

The location of the August meeting of the Rural Finance Authority Board has been changed. This meeting will start at **1:00 p.m., August 1, 2001**, at the Pine Technical College, 900 Fourth Street S.E., Pine City, MN 55063. For more information, call Curtis Pietz, **(651) 297-1246**.

Future monthly meetings will again be held on the first Wednesday of each month at 90 West Plato Boulevard at 1:00 p.m. Some Members may participate in certain of these meetings by electronic means. In accordance with *Minnesota Statutes* Sec. 471.705 (1997) the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. For additional information, contact Wayne Marzolf, MN Dept. of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107 or call **(651) 296-1748**.

Curtis Pietz,
Agriculture Finance Division Director

Minnesota Housing Finance Agency

Notice of Hearing on Bond Issues for Single Family Mortgage Bond Program

The Minnesota Housing Finance Agency will hold a public hearing at **9:00 a.m. on Tuesday, August 7, 2001**, at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, for the purposes of taking public testimony regarding the issuance of Single Family Mortgage Bonds, composed of one or more series, in an aggregate principal amount not exceeding \$250,000,000. The bonds will be issued as qualified mortgage bonds subject to the mortgage eligibility requirements of Section 143 of the Internal Revenue Code of 1986, and, after payment of expenses and funding of reserves, will provide approximately \$240,000,000 of mortgage loans to certain low and moderate income, first-time homebuyers of single family owner-occupied residences located throughout the State of Minnesota, which homebuyers qualify under the Agency's Single Family Mortgage Bond Program and applicable federal tax law. The Agency's Single Family Mortgage Bond Program is further described in the MHFA Mortgage Program Procedural Manual, a copy of which may be obtained from the Agency. Said bonds may be issued either as refunding bonds to refund certain outstanding bonds of the Agency or as "new money" bonds using a portion of the Agency's state bond volume allocation, and may be issued either as short-term bonds, subject to refunding or remarketing at a subsequent date on a long-term, fixed rate basis, or as long-term, fixed rate bonds on original issuance. The bonds covered by this hearing notice, up to an aggregate principal amount not exceeding \$250,000,000, are anticipated to be issued periodically to fund the Program during the calendar years 2001 and 2002, until fully utilized.

Parties wishing to comment on the financing program may appear in person at the hearing or may submit written comments to the undersigned prior to the hearing, which comments will be considered at the hearing. Parties desiring additional information should contact Ms. Sharon Bjostad at MHFA **(651) 282-2577**.

Katherine G. Hadley,
Commissioner

Department of Human Services

Health Care Administration

444 Lafayette Road North

St. Paul, MN 55155

Public Notice Regarding Payment Rate and Methodology Changes, and Services under the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the MinnesotaCare Program, and the Prescription Drug Program (PDP)

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain changes to the Medical Assistance (MA) Program, the General Assistance Medical Care (GAMC) Program, the Prescription Drug Program (PDP), and the MinnesotaCare Program that the 2001 Minnesota Legislature enacted during the *2001 First Special Session*. This notice is published pursuant *Code of Federal Regulations*, Title 42, section 447.205, which requires public notice of any significant proposed change in the methods and standards for setting payment rates for non-institutional services. This notice is also published pursuant to *42 United States Code* section 1396a(a)(13), which requires the Department to publish proposed and final nursing facility, inpatient hospital and Intermediate Care Facilities for Persons with Mental Retardation (ICF/MR) payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. The changes to the state MA Program are estimated to result in a net increase in MA Program expenditures of \$276 million for State Fiscal Years 2002 and 2003.

This notice supersedes the notice published on June 25, 2001 at 25 SR 1968.

The actual text of these changes is contained in *Laws of Minnesota 2001*, First Special Session, Chapter 9. This is available by calling the House Public Information Office at (651) 296-2146 or the Senate Index at (651) 296-0504. It is important to note that not all changes made to these programs by the 2001 Legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to MA, GAMC, PDP, and MinnesotaCare enrollees through written notice, and to health care providers through newsletters and updates to the Minnesota Health Care Programs Provider Manual.

Changes were made to the following areas:

- I. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services and Payment Rates
- II. MA Home and Community-Based Waivers and Payment Rates
- III. MA Long-Term Care Services and Payment Rates

I. MA, GAMC, MinnesotaCare, and Prescription Drug Program Services and Payment Rates

- Effective for services rendered on or after 7/1/01, MA will continue to cover telemedicine consultations. Language requiring coverage to end 7/1/01 is repealed. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 30.
- Effective for admissions on or after 7/1/01, the MA hospital surcharge is not an allowable cost for inpatient hospital rate setting. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 12.
- Effective for services provided on or after 1/1/03, MA will cover Intensive Early Intervention Behavior Therapy Services (IEIBTS) for children with autistic spectrum disorders. These services will be covered for children under the age of 84 months with autistic spectrum disorders meeting specific IQ and verbal functioning criteria. Once receiving services, the children remain eligible until no longer showing progress at bi-annual treatment plan reviews, or until 54 months of service have been provided, whichever occurs first. Providers of IEIBTS for children with autistic spectrum disorders must be certified by the Association for Behavior Analysis and meet various education and experience qualifications based on the role they play in delivery and supervision of the intensive early intervention behavior therapy. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 31.
- Effective for services rendered on or after 1/1/03, payment for an IEIBTS clinical supervisor practitioner under supervision of a mental health professional shall be the lower of the submitted charge or \$67.00 per hour. Payment for an IEIBTS senior behavior therapist practitioner under supervision of a mental health professional shall be the lower of the submitted charge or \$37.00 per hour. Payment for an IEIBTS behavior therapist practitioner under supervision of a mental health professional shall be the lower of the submitted charge of \$27.00 per hour. An IEIBTS practitioner may receive payment for travel time that exceeds 50 minutes one way. The maximum payment allowed will be \$0.51 per minute for up to a maximum of 300 hours per year. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 31.

- Effective for services provided on or after 7/1/01, MA covers oral language interpreter services when provided by an MA enrolled health care provider during the course of providing a direct, person-to-person covered health care service to an enrolled recipient with limited English proficiency. Separate payment for this service will be available to all MA enrolled providers except inpatient hospitals. Payment for this service will be the lesser of charges or \$12.50 per 15-minute unit of service. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 36.
- Effective 7/1/01 the Commissioner may contract with federally recognized Indian tribes with a reservation in Minnesota for the provision of Early Periodic Screening, Diagnosis and Treatment (EPSDT) administrative services for American Indian children. In addition, the Commissioner, the local agency (county), and the tribe may contract with any entity for the provision of EPSDT administrative services. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 14.
- Effective for services rendered on or after 7/30/01, payment for drugs administered in an outpatient setting will be the lesser of the usual and customary charge, the average wholesale price minus a 5% discount (AWP - 5%) or the maximum allowable cost (MAC) set by the federal government under 42 *United States Code* section 1396r-8(e) and the *Code of Federal Regulations*, Title 42, section 447.332, or by the Commissioner under *Minnesota Statutes*, section 256B.0625, subdivision 13(c). *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 6.
- Effective for services rendered on or after 7/30/01, where a drug has had its wholesale price reduced as a result of the actions of the National Association of Medicaid Fraud Control Units, the estimated actual acquisition cost shall be the reduced average wholesale price (AWP), without the additional nine percent deduction normally taken off of AWP. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 32.
- Effective for services rendered on or after 7/30/01, the pharmacy dispensing fee for intravenous solutions that must be compounded by a pharmacist shall be \$8 per bag, \$14 per bag for cancer chemotherapy products, and \$30 per bag for total parenteral nutritional products dispensed in one liter quantities, or \$44 per bag for total parenteral nutritional products dispensed in quantities greater than one liter. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 32.
- Effective for services rendered on or after 7/1/01, the payment rate for ambulance services shall be the greater of the Medicare payment rate or the MA rate in effect on July 1, 2000. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 35.
- Effective for services rendered on or after 7/1/01, the stretcher-accessible medical transportation mileage rate shall be \$1.40. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 34.
- Effective for services on or after 1/1/01, federally qualified health centers and rural health centers may elect to be paid under a prospective payment system or an alternative cost-based system. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 37.
- Effective for services rendered on or after 7/1/01, payment for services provided to MinnesotaCare enrollees at Indian Health Service facilities or facilities operated by a tribe or tribal organization shall be at the option of the facility in accordance with the rate published by the United States Assistant Secretary for Health when the enrollee is eligible for federal financial participation. When a MinnesotaCare enrollee is not eligible for federal financial participation at an Indian Health Service facility or a facility operated by a tribe or tribal organization, payment must be in accordance with the MA rate paid for the same service when provided in a facility other than a facility of the Indian Health Service or a facility operated by a tribe or tribal organization. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 38.
- Effective for services provided on or after 7/1/02, rates that are based on the Medicare outpatient prospective payment system shall be replaced by a budget neutral prospective payment system that is derived using MA data. The Commissioner shall provide a proposal to the 2002 legislature to define and implement this provision. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 53.
- Effective for services rendered on or after 1/1/02, payment for diagnostic examinations and dental x-rays provided to persons under age 21 will be the lesser of the submitted charge or 85% of the 1999 median charge. Payment to designated critical access dental providers may be increased by not more than 50%. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 54.
- Effective for admissions on or after the later of 7/1/01, or when federal approval for intergovernmental transfers is obtained, inpatient hospital rates for sixteen DRGs will be set at the greater of a hospital's rate or 90% of the seven county metropolitan average for hospitals located outside of that area. The 90% may be adjusted to meet funding levels. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 13.
- Effective 7/1/01, the Prepaid Medical Assistance rates for Metropolitan Health Plan are increased \$3,400,000 per year,

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plus any federal matching funds, to recognize higher medical education costs. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 45.

- Effective the later of 7/15/01, or when federal approval is obtained, a system of intergovernmental transfers between DHS, Hennepin County (\$2 million per month) and Ramsey County (\$1 million per month), and upon specific federal approval, the university will be implemented. The transfers to DHS and to the affiliated hospitals of the government entities will be based on federal maximum limits on MA payments. 71% of the transfer plus any federal matching funds are retained by the affiliated hospitals, 18% plus any federal matching funds are used to increase payments to other hospitals and 11% is used to fund community clinics. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 46.
- Effective 7/1/01, the Prepaid Medical Assistance capitation rates are increased \$2,537,000 per year, plus any federal matching funds, and this increase is transferred to the Medical Education and Research Fund. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 17, Section 2.
- Effective for services rendered on or after 7/1/01, MA covers targeted case management services that assist eligible persons to relocate from institutions to more integrated community settings. The funding reimburses county agencies for costs associated with providing targeted case management services for up to 180 days prior to a person's discharge from an institution. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Sections 20 to 28.
- Effective for services rendered on or after 7/1/01, MA and MinnesotaCare payment for mental health targeted case management services will be made for the last 180 days prior to a person's discharge from a nursing facility, hospital or ICF/MR unless the person was not eligible for MA during that period. Current MA policy limited payment to the last 30 days prior to discharge. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 19.
- Effective for services rendered on or after 1/1/02, MA covers targeted case management services for vulnerable adults and persons with developmental disabilities who are not receiving home and community-based services. The rates will be based on a monthly rate methodology. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Sections 39 and 44.
- Effective for services rendered on or after 7/1/01, MA rates for outpatient mental health services, including therapy, day treatment and children home-based services will be rebased to 75.6% of the 50th percentile of 1999 charges. These rates are currently based on 1989 charges. The effect of this change will be an average rate increase of 8.8%, but the specific change for each service will vary depending on the relationship between current rates and 1999 charges. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 9, Section 43.
- Effective for services rendered on or after 7/1/01, payment for medication management provided to psychiatric patients, outpatient mental health services, day treatment services, home-based mental health services, and family community support services shall be paid at the lower of the submitted charge or 75.6 percent of the 50th percentile of 1999 charges. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 2, Section 43.
- Effective for services rendered on or after 7/1/01, the MA rates for outpatient mental health services provided by an entity that operates: 1) a Medicare-certified comprehensive outpatient rehabilitation facility; and 2) a facility that was certified prior to January 1, 1993, with at least 33% of the clients receiving rehabilitation services in the most recent calendar year are MA recipients, may be increased by 38%, when those services are provided within the comprehensive outpatient rehabilitation facility and provided to residents of nursing facilities owned by the entity.
- Effective 1/1/02, MA will pay a mental health provider's travel time if a recipient's individual treatment plan requires the provision of mental health services outside of a provider's normal place of business. This payment does not include any travel time that is included in other billable services, and is covered only when mental health services are covered MA services. *Laws of Minnesota 2001*, First Special Session 2001, Chapter 9, Article 9, Section 42.
- Effective for services on or after 1/1/02, and upon federal approval, MA covers mental health rehabilitative services and crisis response services for adults. A new provider type, mental health rehabilitation worker, meeting standards established in the authorizing legislation, may provide some of these services. In order to receive MA payment, provider entities must be certified. Payment rates for these services are being developed, and specific rate information will be published in a future *State Register* notice.

PMAP enrollees will be able to access mental health rehabilitative services and crisis response services for adults under regular MA fee-for-service until at least 1/1/04. The legislature required the Department to make recommendations in a report for its consideration on how these services should be included in prepaid plans. The report recommendations, due 1/15/03, must include a plan to ensure coordination of these services between health plans and counties, assure recipient access to essential community providers, and monitor the health plans' delivery of services through utilization review and quality standards. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 9, Sections 39 and 40-45.

- PMAP enrollees will be able to access mental health rehabilitative services and crisis response services for adults under regular MA fee-for-service until at least 1/1/04. The legislature required the Department to make recommendations in a report for its consideration on how these services should be included in prepaid plans. The report recommendations, due 1/15/03, must include a plan to ensure coordination of these services between health plans and counties, assure recipient access to essential community providers, and monitor the health plans' delivery of services through utilization review and quality standards. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 9, Sections 39 and 40-45.
- Effective for services rendered on or after 7/1/01, MA payments will be made directly to local agencies for face-to-face assessments provided to persons with disabilities under age 65 residing in a nursing facility or for whom a nursing facility placement is being considered. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 42.
- Effective for services rendered on or after 7/1/01, MA will pay private duty nursing (PDN) services according to whether the PDN provides complex care or regular care. Complex care is defined as nursing care provided to recipients who are either ventilator dependent or for whom a physician has certified that were it not for PDN, the recipients would meet the criteria for inpatient hospital intensive care unit (ICU) level of care. The change, that resulted from a Governor's proposal to simplify rates by creating a common service menu in some home and community-based service areas, means a 8.5% increase in payment for private duty nursing services paid as complex or regular care. This 8.5% rate increase does not apply to the Intensive Care Unit (ICU) rate paid under the CAC Waiver. The legislature further specified that the rate established by the commissioner for registered nurse or licensed practical nurse services under any home and community-based waiver as of 1/1/02 will not be reduced as a result of this change. *Laws of Minnesota 2001*, First Special Session 2001, Chapter 9, Article 3, Sections 29 and 64.
- Effective for services rendered on or after 7/1/01, parents of minor children, spouses, and legal guardians who meet relative hardship criteria and also are registered or licensed practical nurses may receive MA payment for providing PDN services to their child, spouse or ward. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 40.
- Effective for services rendered on or after 7/1/01, up to nine skilled nurse visits may be provided without prior authorization. Currently, MA covers up to five visits before prior authorization is required. Two skilled nurse visits may be provided per day with prior authorization, if the visits are medically necessary. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 32.
- Effective for services rendered on or after 7/1/01, MA payment is allowed for medically necessary skilled nurse visits provided using telehomecare devices. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 38.
- Effective for services rendered on or after 7/1/01, physical and occupational therapy assistants may receive payment for providing therapy services in a recipient's home. Services provided by an occupational or physical therapy assistant that are provided under the direction of an occupational or physical therapist who is not on the premises will be paid at 65% of the occupational or physical therapist rate. Services provided by a occupational or physical therapy assistant will be paid at the same rate as services performed by a occupational or physical therapist when the services of the occupational or physical therapy assistant are provided under the direction of a occupational or physical therapist who is on the premises. The occupational or physical therapist and occupational or physical therapist assistant may not both bill for services provided to a recipient on the same day. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 39.

II. MA Home and Community-Based Waivers and Payment Rates

- Effective 7/1/01, or upon receipt of federal approval, a consumer-directed home care demonstration project will be implemented to evaluate a consumer-directed service delivery. MA eligible recipients of home care services who choose to participate will have the opportunity to manage their own support services grant awards will be on historical expenditures 90% of the average monthly MA costs. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 37.
- Effective for services rendered on or after 7/1/01 and 7/1/02, provider payment rates will be increased by three percent for the following programs: Home and Community-Based Waiver Services for Persons with Mental Retardation or Related Conditions (MR/RC Waiver) under *Minnesota Statutes*, section 256B.501; Elderly Waiver (EW) services under *Minnesota Statutes*, section 256B.0915; Community Alternatives for Disabled Individuals (CADI) waiver services under *Minnesota Statutes*, section 256B.49; Community Alternative Care (CAC) waiver services under *Minnesota Statutes*, section 256B.49; Traumatic Brain Injury Waiver (TBIW) waiver services under *Minnesota Statutes*, section 256B.49; nursing services and home health services under *Minnesota Statutes*, section 256B.0625, subdivision 6a; personal care services and nursing supervision of personal care services under *Minnesota Statutes*, section 256B.0625, subdivision 19a; private-duty nursing services under *Minnesota Statutes*, section 256B.0625, subdivision 7; Alternative Care (AC) services under *Minnesota Statutes*, section 256B.0913; adult residential program grants under *Minnesota Rules*, parts 9535.2000 to 9535.3000; adult and family community support grants under *Minnesota Rules*, parts 9535.1700 to 9535.1760; semi-independent Living Services (SILS) under *Minnesota Statutes*, section 252.275, including SILS funding under county social services grants formerly funded under *Minnesota Statutes*, Chapter 256I; and community support services for deaf and

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hard-of-hearing adults with mental illness who use or wish to use sign language as their primary means of communication; living skills and training programs for persons with intractable epilepsy who need assistance in the transition to independent living; and the group residential housing (GRH) supplementary service rate under *Minnesota Statutes*, section 256I.05, subdivision 1a. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 37.

- Effective for services rendered on or after 7/1/01 and 7/1/02, payments to providers will be increased by 3.5 % for Day Training and Habilitation (DT&H) services for adults with mental retardation or related conditions under *Minnesota Statutes*, sections 252.40 to 252.46. Two-thirds of the additional revenue must be used to increase the wages, benefits, and pay associated costs of employees except administrative and central office employees. One-third of the additional revenue will be used for operating costs. Funds for the pay increases must be used only for increases implemented on or after the first day of the State Fiscal Year in which the increase is available and must not be used for increases implemented prior to that date. A copy of a wage distribution plan must be made available to all employees. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 5 (c).
- Effective 7/1/01, exceptions to the current waiver payment limits will be available for recipients of Community Alternative Care (CAC), Community Alternatives for Disabled Individuals (CADI), and the Traumatic Brain Injury (TBI) waivers who have needs that cannot be made within the current allowable payment limits. The increased reimbursement level must be necessary to allow the recipient to be discharged from an institution or to prevent an imminent placement in an institution. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Section 64.
- Effective 7/1/01 for service rate limits under the Alternative Care and Elderly Waiver programs, the rate limit for each service except assisted living plus services and foster care services will be the greater of the Alternative Care statewide maximum rate or the Elderly Waiver statewide maximum rate. Reimbursement rate disparities between counties for the same service between programs will be eliminated to improve access to community based services for older Minnesotans. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 4, Sections 27 and 29.

III. MA Long Term Care Services and Payment Rates

Nursing Facilities

Pursuant to the Governor's biennial budget, the Department proposed changes to the nursing facility rate-setting system. The Minnesota Legislature considered the Department's proposed changes, gathered information, and held public hearings at which nursing facility residents, trade associations, providers, facility employee union representatives, and the general public were invited to attend. The Legislature considered the public's input and enacted legislation changing the rate-setting system as follows:

- Effective 7/1/01, the amount given to counties for long-term care consultation services (previously called pre-admission screening) will be increased. The amount will be allocated by nursing facility beds in each county, and nursing facility reimbursement rates will be adjusted accordingly. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 4, Section 13 and Article 17, Section 2.
- Effective after 6/30/02 but no later than 1/1/03, nursing facilities will determine resident reimbursement classifications based upon the federally mandated minimum data set assessment instrument. The new system must have a budget neutral financial impact on each facility at the time of implementation, relative to the current case-mix system. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Sections 1, 2 and 28.
- Effective 7/1/01, the threshold above which facilities reimbursed under *Minnesota Statutes*, section 256B.431 must apply for a moratorium exception is increased to one million dollars. New technology costs are allowed to be part of a moratorium exception project. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Sections 3 to 8.
- Effective 7/1/01, nursing facilities that have undergone replacement or remodeling as part of a planned closure will have their beds licensed and certified as an exception to the moratorium process. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 6 (ee).
- Effective 7/1/01, a transfer will be permitted of up to 98 beds of a licensed bed facility located in Anoka County that is closing to a licensed bed nonprofit nursing facility located in the city of Columbia Heights, or its affiliate. The transferred beds are to be placed on lay-away, and the lay-away rate adjustment provisions do not apply. The receiving nursing facility must receive statutory authority before removing the beds from lay-away. The beds may be only removed from lay-away at the receiving facility's current site, or at a newly constructed facility located in Anoka County. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 6 (ii).
- Effective 7/1/01, licensure and certification will be permitted of up to 120 beds to replace beds in a nursing facility in Anoka County. The new facility must be in Anoka County and located within four miles of the existing facility. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 6 (hh).

- Effective 7/1/01, a nursing facility in Wilken County will be allowed a total replacement project of up to 124 beds to replace its flood-damaged facility. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 6 (ff).
- Effective 7/1/01, a 240-bed nursing facility located in Duluth will be allowed to license an additional nine beds to provide residential services for the physically handicapped, under state rules. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 6 (gg).
- Effective 7/1/01, the negotiated reimbursement rate limit language for contracts for services for ventilator-dependent persons is amended to delete the six month hospitalization requirement and eliminate the requirement that the person was assessed at case-mix classification K. The negotiated reimbursement, for persons admitted before 7/1/01 (provided they do not already have a negotiated rate), must not exceed 200% of the facility's multiple bedroom reimbursement rate for case mix classification K. For persons admitted on or after 7/1/01, the negotiated reimbursement rate must not exceed 300%. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 15.
- Effective 7/1/01, the replacement-cost-new limits for all building projects completed on or after 7/1/01 will be increased. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 16.
- Effective 7/1/01 and 7/1/02, an adjustment to the total operating rate of three percent will be provided to nursing facilities reimbursed pursuant to either Rule 50 or the Alternative Payment System (APS). *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 17.
- Effective 7/1/01, a higher rate will be provided for the first 90 days after admission. For the first 30 paid days, the rate will be 120% of the facility's MA rate for each case mix class, and for the next 60 paid days the rate will be 110% of the facility's MA rate for each case mix class. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 18.
- Effective 7/1/01 and 7/1/02, a rate disparity increase will be provided for low-rate nursing facilities. An adjustment of up to ten percent will be provided to facilities that fall below specified rates for metro and non-metro areas of the state. The areas that are considered to be metro are specified in the legislation. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 19.
- Effective 7/1/01 and 7/1/02, two-thirds of the three percent adjustment, and one-half of the 90-day and rate disparity adjustments, must be used for employee wage-related increases. Facilities must submit an application for this increase that contains a plan for distribution. The plan must be posted or otherwise available to a nursing facility's employees. Once the plan is approved, the rate adjustment will be added to the facility's reimbursement rate for the period 7/1/01 and 7/1/02, or the effective date of a nursing facility's plan. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 20.
- Effective 7/1/01, nursing facilities reimbursed under *Minnesota Statutes*, section 256B.431 are excluded from current restrictions on billing for therapy services. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 22.
- Effective 7/1/01, adjustments for raw food costs that are related to providing special diets based on religious beliefs will be excluded when calculating arrays, medians, or other statistical measure of nursing facility reimbursement rates to be used to determine future rate increases. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 21.
- Effective 7/1/01 and 7/1/02, the property reimbursement rate for nursing facilities paid under *Minnesota Statutes*, section 256B.434 will be increased for inflation. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 23.
- Effective 7/1/01, an increase for nursing facility rates will be provided for any increase in health department licensing fees taking effect on or after 7/1/01. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 23.
- Effective 7/1/01, three nursing facilities reimbursed under *Minnesota Statutes*, section 256B.434 will receive specified rate increases. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Sections 24 to 26.
- By 8/15/01, the Commissioner is directed to announce a program for closure or partial closure of up to 5,140 beds in nursing facilities. A planned closure rate of \$2,080 for each closed bed will be provided. A rate adjustment of up to 50% for 60 days or less may be used to pay resident relocation costs or other costs related to the closure or downsizing, in which case the planned closure rate adjustment is delayed to offset these expenditures. Allows the Department to allocate up to \$450 per closing bed to pay counties for their resident relocation costs. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 27.
- Effective 7/1/01, for the next biennium, when approving nursing home moratorium exception projects, the Commissioner of Health is to give priority to a proposal to build a replacement facility in the city of Anoka or within ten miles of the city of Anoka. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 34.
- Effective 7/1/01, the Commissioner must begin to develop a system to replace the current nursing facility reimbursement

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system. This section describes what factors to consider and prohibits implementing performance-based contracting until 7/1/03. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 35.

- Effective 7/1/01, the Commissioner must conduct a time motion study to determine whether costs in the case mix system are adequately paid. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 35.
- Effective 7/1/01, a \$.25 operating reimbursement rate increase will be provided to nursing facilities to be used for employee scholarship costs and training in English as a second language. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 6, Section 6.
- Effective 7/1/01, allows the Commissioner of Health to approve moratorium exception projects under *Minnesota Statutes*, section 144A.073 up to the specified appropriation. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 17, Section 2.
- Effective 7/1/01, for a 47-bed nursing facility operated by the Red Lake Band of Chippewa Indians MA reimbursement rates must be calculated according to allowable reimbursement costs under the MA Program as specified in *Minnesota Statutes*, section 246.50, and are subject to the facility-specific Medicare upper limits. The Commissioner must make available rate adjustments for the biennium beginning 7/1/01 on the same basis as the adjustments provided to nursing facilities under *Minnesota Statutes*, section 256B.431. The Commissioner must use the facility's final 2000 and 2001 Medicare cost reports to calculate the adjustments. This rate increase becomes part of the facility's base rate for future rate years. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 17, Section 2.

The Department anticipates adding these changes to its MA State plan. Individual nursing facility reimbursement rates are available by contacting the Audits Division, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3836 or by calling (651) 296-9916.

ICFs/MR

The Governor's biennial budget did not propose changes to the ICF/MR rate-setting system. The Minnesota Legislature gathered information and held public hearings at which ICF/MR residents, trade associations, providers, ICF/MR union representatives, and the general public were invited to attend. The Legislature considered the public's input and enacted legislation changing the rate-setting system as follows:

- Effective 7/1/01 and 7/1/02, ICFs/MR will receive a 3.5 percent rate increase to the total operating reimbursement rate. Two-thirds of this adjustment must be used to increase the wages, benefits, and pay associated costs of employees except administrative and central office employees. One-third of the adjustment must be used for operating costs. Facilities must submit a distribution plan by March 31, 2002 and March 31, 2003, respectively, to be reviewed by the Commissioner. If a facility's plan is effective for its employees after the first day of the applicable rate year the funds are available, the reimbursement rate adjustment per diem is effective the same date as its plan. A copy of the approved distribution plan must be made available to all employees. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 30.
- Effective 7/1/01, the Commissioner may determine rates for an ICF/MR that is under receivership through a review of actual costs and resident days in the period the facility is under receivership under *Minnesota Statutes*, section 245.13. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 3, Sections 1 and 2.
- Effective 7/1/01, the Commissioner may fund the entire state share of MA reimbursement for residential and day habilitation services for residents of an ICF/MR in Northfield. *Laws of Minnesota 2001*, First Special Session, Chapter 9, Article 5, Section 32.

The Department anticipates adding these changes to its MA State Plan. Facility-specific ICF/MR rates are available by contacting Barbara Nelson, Minnesota Department of Human Services, 444 Lafayette Rd. N., St. Paul, MN 55155 or at (651) 582-1969.

Minnesota State Retirement System

Board of Directors, Regular Meeting

The Board of Directors of the Minnesota State Retirement System will be meeting on **Friday, July 20, 2001, at 9:00 a.m.** in the office of the system, 175 W. Lafayette Frontage Road, Suite 300, St. Paul, Minnesota 55107.

State Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$25,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: agency name and address, name of agency contact person, description of project and tasks, cost estimate and final submission date and time of completed proposal. Certain quasi-state agencies and MnSCU institutions are exempted from these provisions. In accordance with *Minnesota Rules* 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. Certified Economically Disadvantaged Businesses and individuals shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (651) 296-2600 or [TTY (651) 282-5799.]

Minnesota State Colleges and Universities

Advertisement for Bids for Office Remodeling

Project ID. Number Room 1-194 Office Remodel

The Minnesota State Colleges and Universities seeks sealed proposals for 2001 Office Remodeling at St. Cloud Technical College, 1540 Northway Drive, St. Cloud, Minnesota 56303. Bids will be received by:

Lori Kloos, Chief Financial Officer
Business Office, Room 1-105
St. Cloud Technical College
1540 Northway Drive
St. Cloud, Minnesota 56303

until **10:00 a.m., Monday, July 30, 2001**, at which time the proposals will be opened and publicly read aloud.

Proposal Forms, Contract Documents, Plans and Specifications as prepared by the Project Architect, Hagemester and Mack Architects, Inc., St. Cloud, MN, are on file at the office of the:

1. above named Project Architect.
2. following Builders Exchanges: St. Cloud, St. Paul, and Minneapolis.
3. National Association of Minority Contractors of Minnesota.
4. Construction Market Data Plan room.
5. Dodge Plan room.

Sets of Proposal Forms and Plans and Specifications for use by contractors in submitting a bid may be obtained at the following address:

Hagemester and Mack Architects, Inc.
501 West St. Germain Street, Suite 200
St. Cloud, MN 55301
Phone: (320) 251-9155
Fax: (320) 251-4919

A deposit of \$25.00 is required for each set.

Each bid which totals over \$15,000.00 must be accompanied by either a certified check, payable to the State of Minnesota, in the sum of not less than five percent (5%) of the total bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

A pre-bid meeting will be held at 9:00 a.m., Tuesday, July 24, 2001, in Maintenance Office, Room 1-307. St. Cloud Technical College, St. Cloud, MN.

Minnesota State Colleges and Universities

State Contracts

Department of Commerce

Request for Proposals for Assistance in a Rate Case/Earnings Investigation of a Local Telephone Company

Notice is hereby given that the Minnesota Department of Commerce is seeking proposals from professionals for assistance in a rate case/earnings investigation of a local telephone company in Minnesota. Expert assistance is required to conduct an examination of the phone company's earnings, financial statements and records, transactions, and cost of capital. For a copy of the complete Request for Proposal, please contact Vickie Alsides, Telecommunications Division, 85 East 7th Place, Suite 500, St. Paul, MN 55101-2198, (651) 284-4207. Proposals are due no later than **3:30 p.m., July 30, 2001.**

Department of Natural Resources

Notice of Availability of Contract for Neighborhood Wilds Program Coordinator.

The Minnesota Department of Natural Resources is requesting proposals for the purpose of coordinating the Neighborhood Wilds Program during a pilot project through November 30, 2003. Under the program, property owners are encouraged to manage their natural resources in a coordinated, ecologically appropriate manner. The program coordinator will work with the Neighborhood Wilds Steering Committee to recruit and select neighborhoods in the seven-county Metro area to participate in the program. Participating groups of property owners will receive technical assistance and a written management plan provided by an interdisciplinary team of professional resource managers from DNR and partner organizations. Some neighborhoods will also be selected to participate in a cost-share demonstration projects in which management activities will be implemented on private property.

Work is proposed to start after August 15, 2001.

A Request for Proposals will be available by mail from this office through July 30, 2001. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 30, 2001, the Request for Proposals must be picked up in person.

The Request for Proposal can be obtained from:

Don Mueller
DNR, Division of Forestry
1200 Warner Road
St. Paul, MN 55106
Fax: (651) 772-7599

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **4:30 p.m. Central Daylight Time on August 6, 2001. Late proposals will not be considered.**

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Natural Resources

Request for Proposals for Design and Construction Administration of a 3.5 Mile Segment of the Gitchi-Gami State Trail from Schroeder, MN to Tofte, MN.

The Department of Natural Resources is soliciting proposals for design and construction administration of a 3.5 mile segment of the Gitchi-Gami State Trail from Schroeder, MN to Tofte, MN. Project is a joint project with the Department of Transportation and is partially funded by FHWA TEA-21 funding. An informational site meeting is being held at the Schroeder trail head parking lot on **July 23, 2001 at 1:30p.m.** Proposals are due no later than **3:00 p.m., August 3, 2001.**

Contact Larry Peterson, P.E., at (651) 296-0603 or (email) larry.peterson@dnr.state.mn.us to receive a full copy of the RFP package. Any consultants wishing to attend the informational meeting must contact Larry Peterson by **July 19, 2001.**

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

County of Anoka

Notice of Request for Proposals for the Provision of Professional Services to Develop a Web Application

NOTICE IS HEREBY GIVEN for the provision of professional services to develop an application that would automate the processing of selected vendor invoices through a web-based entry system.

Proposals shall be submitted in exact accordance with the Request for Proposals package (including General Information and General Contract Provisions).

The Request for Proposals package may be obtained by contacting Sue Carlson, Information Services Project Leader, Anoka County Information Services, Anoka County Government Center, 2100 3rd Avenue, Anoka, Mn 55303, or by phoning **(763) 323-5338**, or by emailing your request to sue.carlson@co.anoka.mn.us.

Deadline for proposals is **4:00 p.m. on Friday, August 17, 2001**.

If you need an accommodation, such as an interpreter or printed material in an alternate format (i.e., braille or large print) because of a disability, please contact sue Carlson, Information Services Project Leader, at (763) 323-5338, TDD/TTY (763) 323-5289.

Kathy Doty
Assistant County Attorney

John "Jay" McLinden
County Administrator

Dakota County

Dakota County Community Services Contract Unit

Notice for Request for Proposal for Electronic Home Monitoring for Adult and Juvenile Offenders Served by the Dakota County Community Corrections Department.

NOTICE IS HEREBY GIVEN that the Dakota County Community Corrections Department is seeking qualified vendors to provide Electronic Home Monitoring Service. This contract will be in effect from January 1, 2002 through December 31, 2004 pending annual approval by the Dakota county Board of Commissioners.

Qualified Vendors will be considered who have:

- Been in business for a minimum of three years.
- Ability to provide service for 100+ juvenile and adult offenders per day.
- Availability of active monitoring equipment.
- Installation and maintenance of equipment.
- Supply interpretation and an active intermediary to screen exception reports.
- Alcohol sensing and breath analysis equipment for monitoring and verification for violation.
- Field officers to respond to violations within 2 hours in the seven county metropolitan area and to conduct weekly field visits to the offenders home or place of employment.
- Provide staff 80 hours a week on site in Hastings to conduct intake services.
- GPS a plus

Non-State Contracts & Grants

If you have an interest in providing this service a complete Request for Proposal may be obtained by contacting:

Therese J. Branby, Contract Manager
Dakota County Community Services Division
60 East Marie, Suite 214
West St. Paul, MN 55118
Phone: (651) 450-2878
Email: therese.branby@co.dakota.mn.us

Deadline for proposals is **4:30 p.m. CDT on Friday, August 31, 2001.**

Metropolitan Council

Notice of Request for Proposals (RFP) for Technical and Professional Services to Assist in Evaluation of the Regional Aviation System Plan and Policies as Concerns Sport Aviation and Light Aircraft

Contract Number 01P074

The Metropolitan Council is requesting proposals for technical and professional services to assist in evaluation of the Regional Aviation System Plan and policies as concerns Sport Aviation and Light Aircraft. The requested work involves several important elements:

- Definition of planning, operational and development parameters related to the Federal Aviation Administrations' proposed Sport Pilot rule and Light Aircraft certification;
- Assessment of local Sport Aviation and Light Aircraft needs/impacts on Twin Cities regional aviation system, including public and private airports;
- Surveys of general aviation users and import service providers;
- Analysis of existing/potential regional airport development and operational constraints; and
- Definition of development alternatives and implementation measures.

The project will be funded primarily by a grant from the FAA. A disadvantaged business enterprise (DBE) participation goal of 12% has been set for this project.

<i>Issue Request for Proposals</i>	July 9, 2001
<i>Receive Proposals</i>	August 6, 2001
<i>Contract negotiated, executed, NTP</i>	August 31, 2001
<i>Project Completion</i>	December, 2002

All firms interested in being considered for this project and desiring to receive a RFP Package are invited to submit a Letter of Interest to:

Amanda Petersen, Administrative Assistant, Contract and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@metc.state.mn.us

Inquiries regarding technical aspects of the project should be directed to Gordon Backlund, (651) 602-1801.

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council

Hiawatha Light Rail Transit Line

Notice of Request for Proposals on Disadvantaged Business Enterprise Program Consulting Services

RFP No. 01P071

NOTICE IS HEREBY GIVEN that the Metropolitan Council (Council) is soliciting proposals from consultants who can provide technical and advisory services that would assist the Council in implementing a successful Disadvantaged Business Enterprise (DBE) Program at LRT in a manner that is consistent with all applicable FTA regulations. The Council seeks a consultant to do effective community outreach and maximize local participation in achieving the 15% goal for the Project and one that can hit the ground running.

The Metropolitan Council provides mass transit bus services to the Twin Cities of Minneapolis/St. Paul, Minnesota on behalf of its Hiawatha Light Rail Transit (LRT) Line Project, which is the first light rail route in the Twin Cities area. Services expected of Consultant will be contract assessment, monitoring, reporting, community outreach and overall technical support and assistance in ensuring successful implementation of the Hiawatha LRT Project DBE Program.

The Council is the owner, federal grantee and will be the operator for the LRT, which will run approximately 11.5 miles along the Hiawatha Avenue Corridor from downtown Minneapolis to the Mall of America and the Minneapolis/St. Paul International Airport. Minnesota Department of Transportation is responsible for design and construction, the design/build contract for which was awarded in September 2000. Other project partners are the Metropolitan Airports Commission, Hennepin County Regional Rail Authority, Cities of Minneapolis and Bloomington, the University of Minnesota and the Federal Grant for Congestion Mitigation and Air Quality. Groundbreaking was held in January 2001 when federal funding was committed. The vehicle manufacturer contract was awarded in August 2000. The first vehicle is slated for delivery and test operations are to begin in October 2002 with the LRT opening for limited revenue service in Fall of 2003. With this ambitious Project schedule, a consultant who knows federal DBE Program requirements and reporting criteria, the local marketplace and one that understands a design/build environment is critical.

The tentative release date for this RFP is: July 9, 2001

All firms interested in this project should request a copy of the RFP through:

Amanda Petersen, Administrative Assistant, Contract and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.petersen@metc.state.mn.us

Metropolitan Council

Furniture for Building 506

The Metropolitan Council is soliciting sealed bids for Furniture for Building 506. Bids are due at **2:00 p.m., on August 16, 2001.**

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Non-State Contracts & Grants

Metropolitan Council

Solicitation for Industry Review of Regional Fare Collection System

The Metropolitan Council, which provides mass transit services to the Minneapolis/St. Paul, Minnesota metropolitan area, is requesting comments on a draft specification document for a regional fare collection system. The Metropolitan Council is considering issuing an RFP for such a system within the next 2 months. The project may include equipment to support a fare collection system using smart cards for new light rail and existing bus operations.

A copy of the draft specification will be sent via email only. A request should be made by email to the following address: amanda.peterson@metc.state.mn.us

Requests for the draft specification will be honored until **4:00 p.m. CDT, Friday, July 20, 2001**. Comments on the draft specification must be received via email by **4:00 p.m. CDT, Monday, July 23, 2001** for consideration.

Firms interested in receiving a RFP can register company information via email or through the following:

Amanda Petersen, Administrative Assistant, Contract and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

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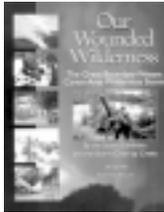
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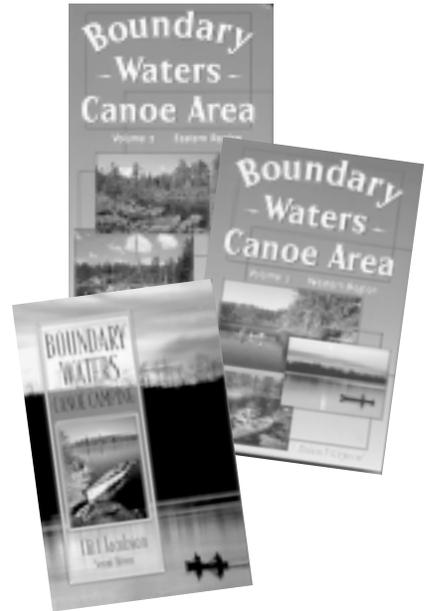
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